

FEB 10 2004

DECLARATION AND POWER OF ATTORNEY

As ~~below~~ <sup>joint</sup> inventors, We hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SENESCENT CELL-DERIVED INHIBITORS OF DNA SYNTHESIS

the specification of which (check one) is:

☐ attached hereto

☒ was filed on December 7, 2001

as Application Serial No. 10/008,960

and amended on \_\_\_\_\_ (if applicable).

☐ was described and claimed in PCT Application No.

filed on \_\_\_\_\_ and amended under Article 19 on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulation, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

| <u>Serial Number</u> | <u>Country</u> | <u>Filing Date</u> | <u>Priority Claimed</u><br>(Y/N) |
|----------------------|----------------|--------------------|----------------------------------|
|----------------------|----------------|--------------------|----------------------------------|

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| <u>Serial Number</u> | <u>Filing Date</u> | <u>Status</u> |
|----------------------|--------------------|---------------|
| 07/808,523           | 12/16/91           | Abandoned     |
| 08/268,439           | 6/30/94            | Abandoned     |
| 08/160,814           | 1/3/94             | Patented      |
| 07/970,462           | 11/2/92            | Patented      |
| 08/113,372           | 8/30/93            | Abandoned     |
| 08/153,564           | 11/17/93           | Abandoned     |
| 08/203,535           | 2/25/94            | Abandoned     |
| 08/229,420           | 4/15/94            | Abandoned     |
| 08/274,535           | 7/13/94            | Abandoned     |
| PCT/US94/09700       | 8/26/94            | Abandoned     |
| 08/327,874           | 10/24/94           | Pending       |

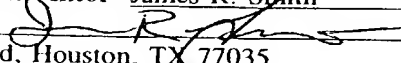
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint John E. Kidd, Reg. NO. 19,916; Margaret B. Kelley, Reg. No. 29,181; Philip E. Roux, Reg. No. 31,295; Leora Ben-Ami, Reg. No. 32,455; Robert D. Schaffer, Reg. No. 33,775; Michael M. O'Shea, Reg. No. 35,631; and Gerard P. Norton, Reg. No. 36,621 of the firm of Rogers & Wells, 200 Park Avenue, New York, New York 10166-0153, as attorneys with full powers of substitution and revocation to prosecute this application, and to receive the patent and to transact all business in the Patent and Trademark Office connected therewith.

Kindly direct all future correspondence regarding this application to: Gerard P. Norton, Esq., Rogers & Wells, 200 Park Avenue, New York, New York 10166-0153.

Wherefore I pray the Letters Patent be granted to me for the invention described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, and this declaration and power of attorney.

**Full name of sole or first inventor** James R. Smith

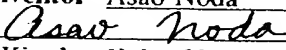
Inventor's signature  Date July 17, 1998

Residence 10311 Cliffwood, Houston, TX 77035

Citizenship USA

Post Office Address Same

**Full name of second, joint inventor** Asao Noda

Inventor's signature  Date July 24, 2002

Residence Oguradai 2-10-52, Kita-ku, Kobe 651, Japan

Citizenship Japan

Post Office Address Same

**Full name of third, joint inventor** Guy Adami

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 826 South Bishop Street, Chicago, IL 60607

Citizenship \_\_\_\_\_

Post Office Address Same

I hereby appoint John E. Kidd, Reg. NO. 19,916; Margaret B. Kelley, Reg. No. 29,181; Philip E. Roux, Reg. No. 31,295; Leora Ben-Ami, Reg. No. 32,455; Robert D. Schaffer, Reg. No. 33,775; Michael M. O'Shea, Reg. No. 35,631; and Gerard P. Norton, Reg. No. 36,621 of the firm of Rogers & Wells, 200 Park Avenue, New York, New York 10166-0153, as attorneys with full powers of substitution and revocation to prosecute this application, and to receive the patent and to transact all business in the Patent and Trademark Office connected therewith.

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**Full name of sole or first inventor** James R. Smith

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 10311 Cliffwood, Houston, TX 77035

Citizenship USA

Post Office Address Same

**Full name of second, joint inventor** Asao Noda

Inventor's signature Asao Noda Date July 24, 2002

Residence Oguradai 2-10-52, Kita-ku, Kobe 651, Japan

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Post Office Address Same

**Full name of third, joint inventor** Guy Adami

Inventor's signature Guy Adami Date 4/12/98

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